

# MAINE STATE LEGISLATURE

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# LEGISLATIVE RECORD

OF THE

## Seventy-Ninth Legislature

OF THE

## STATE OF MAINE

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1919

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AUGUSTA  
KENNEBEC JOURNAL PRINT  
1919

## SENATE

Wednesday, Feb. 19, 1919.

Senate called to order by the President.

Prayer by the Rev. Paul S. Phalen of Augusta.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

### House Bills in First Reading

H. D. 144: An Act to authorize the erection of a weir in the waters of Cobscook bay in the town of Lubec.

H. D. 143: An Act to ratify, confirm and make valid the doings of the Congregational parish in Abbot village, and of the Abbot village Congregational church, and authorizing them to unite.

H. D. 146: An Act regulating the taking of clams in the town of Swan's Island.

H. D. 145: An Act to amend chapter 372 of the laws of Maine 1905, entitled an act for the protection of clams in parts of the county of Sagadahoc.

From the House: An Act to incorporate the West Benton Village corporation.

In the House the report of the committee on towns, ought not to pass, pending acceptance of the report was referred back to the committee on agriculture.

Mr. DEERING of York: Mr. President, I understood that the House acted upon that by referring it back to the committee.

The PRESIDENT: Yes, recommended it to the committee on agriculture.

Mr. DEERING: The committee on agriculture?

The PRESIDENT: Yes.

Mr. DEERING: Did I understand that this bill was in regard to the West Benton Village corporation?

The PRESIDENT: The Chair will state for the information of the senator from York that the endorsement reads "to the committee on agriculture," but it should have been to the

committee on towns, the Chair is of the opinion.

Mr. DEERING: The record now shows, I think, that the report ought not to pass is accepted?

The PRESIDENT: In the Senate the pending question is the acceptance of the report, the Chair would state.

Mr. DEERING: It seems to me, although I am not quite sure, if we accept the report of a committee on a bill, that the bill ought not to pass, that the same subject matter cannot come before a committee again at this session.

The PRESIDENT: The Chair is of the opinion—without three days' notice.

Mr. DEERING: The Chair would then rule that the bill can go back to the committee on towns?

The PRESIDENT: That will be my ruling.

Mr. DEERING: Very well.

The PRESIDENT: Did the senator from York intend to recommit this to the committee on towns pending the acceptance of the report of the committee?

Mr. DEERING: Yes, and I make that motion.

The motion was agreed to and the bill was recommitted to the committee on towns, in non concurrence, pending the acceptance of the report, and sent down for concurrence.

From the House: Report of the committee on appropriations and financial affairs on Resolve in favor of the People's Ferry Company, in the House was recommitted to the committee on appropriations and financial affairs, in non-concurrence.

In the Senate on motion by Mr. Baxter of Sagadahoc, the Senate receded and concurred with the House in the reference of the bill to the committee on appropriations and financial affairs.

The following bills, resolves, etc., were presented and on recommendation of the committee on reference of bills were referred to the following committees:

### Legal Affairs

By Mr. Thombs of Penobscot, An Act, to amend chapter 195 of the

Public Laws of 1917, creating the board of prison commissioners.

By Mr. Parent of Androscoggin, An Act to create a lien on lumber for sawing and sticking.

### Bills in First Reading

S. D. 86: An Act to amend Chapter 287 of the Public Laws of 1917, relating to registration of motor vehicles.

S. D. 87: An Act to amend Chapter 120 of the Private and Special Laws of 1899 establishing the Livermore Falls municipal court.

S. D. 88: Resolve in favor of Mary A. Carroll, of Southwest Harbor.

### Reports of Committees

Mr. Deering for the Committee on Judiciary on An Act to repeal chapter 192 of the Public Laws of the State of Maine for 1917, entitled "An Act to amend Sections 4, 5 and 7 of Chapter 95 of the Revised Statutes, in relation to mortgages of real estate, reported same ought not to pass.

The report was accepted and sent down for concurrence.

Majority report of the Committee on Judiciary, on An Act to supplement Chapter 29 of the Revised Statutes, and to provide for the care of persons requiring full support, or more than temporary relief, (Senate 29) reporting same ought not to pass.

(Signed)

Messrs. DAVIES  
CONARY  
BUZZELL  
CHAPLIN  
BARNES  
MURCHIE  
MAHER

Minority report of the same committee on same bill, that the same ought to pass.

(Signed)

Messrs. DEARTH  
DEERING  
BAXTER

Mr. DAVIES of Cumberland: Mr. President, inasmuch as Senator Dearth is not here this morning, I move that both reports lie on the table.

The motion was agreed to.

Mr. Thombs for the committee on

legal affairs, on An Act to create a Portland Harbor District, requested that 1000 copies be printed and the bill returned to the committee.

The report was accepted and the bill ordered printed.

The same Senator, for the same committee, on An Act to amend the charter of the Bath Military and Naval Orphan Asylum, reported same ought to pass.

Mr. Deering for the committee on judiciary, on An Act to amend An Act to incorporate the city of Saco, reported same ought to pass.

The reports were accepted and the bills tabled for printing under the joint rules.

### Passed to Be Engrossed

H. D. 131: An Act to amend paragraph one of Section 57 of Chapter 16 of the Revised Statutes, as amended by Chapter 188 of the Public Laws of 1917, relative to the payment of State Aid to superintendents of unions of towns.

H. D. 137: Resolve in favor of a fish screen at the outlet of Sebago lake. (On motion by Mr. Metcalf of Piscataquis, tabled pending second reading.)

S. D. 79: Resolve in favor of Harry S. Coombs for furnishing plans and specifications for four model school buildings for State Board of Education as per contract with the Hon. Payson Smith.

S. D. 80: Resolve in favor of J. Wilbur Day, compensating him for the loss of cattle.

S. D. 81: Resolve in favor of Perley J. Guptill, Machias, for destruction of cattle by bears.

S. D. 82: Resolve in favor of the town of Union for the payment of additional state school funds for the year 1918.

S. D. 83: Resolve in favor of Lydia M. Chadwick for teacher's pension.

S. D. 84: Resolve in favor of the town of Litchfield, reimbursing said town for money paid to Litchfield Academy.

### Orders of the Day

On motion by Mr. Davies of Cumberland, it was

Ordered, that a message be sent to the House of Representatives proposing that a joint convention be held in the hall of the House at eleven o'clock this forenoon, for the purpose of receiving a communication from his Excellency, the Governor.

The President appointed the Secretary to convey the message, and he subsequently reported that he had discharged the duty with which he was charged.

#### Message from the House

A message was received from the House conveyed by its Clerk, informing the Senate that the House concurred in the Senate's proposition for a joint convention to be held in the hall of the House at eleven o'clock, for the purpose of receiving a communication from his Excellency, the Governor.

Mr. DAVIES of Cumberland: Mr. President, I rise for the purpose of an inquiry. Is it in order at this time to take from the table An Act to extend the charter of the Lincoln County Street Railway?

The PRESIDENT: It is in order.

On motion by Mr. Davies, An Act to extend the charter of the Lincoln County Street Railway was taken from the table.

Mr. DAVIES: Mr. President, on the suggestion of Senator Lewis I move that we concur with the House in the adoption of House Amendment A.

Mr. THOMBS of Penobscot: Mr. President, I would like to hear the amendment read.

The secretary read the amendment, as follows:

"House Amendment A to Senate Document No. 48: Amend Section 2 by striking out in the fifth line of said section the word 'sixty,' and inserting in place thereof the word 'fifty-five,' and by adding to the sixth line of said section the words 'and acts amendatory thereof and additional thereto,' so that said section as amended shall read as follows:

'Section 2. Nothing herein contained is intended to repeal or shall be construed as repealing the whole

or any part of any existing statute, and all the rights and duties herein mentioned shall be exercised and performed in concurrence with all the applicable provisions of Chapter 55 of the Revised Statutes, and acts amendatory thereof and additional thereto.'"

Mr. DAVIES: Mr. President, I might say for the benefit of Senator Thombs and the Senate generally that the amendment simply brings the act within the power and direction of the Public Utilities Commission, and nothing more.

The pending question being on the adoption of House Amendment A in concurrence, the amendment was adopted, and the bill as amended was passed to be engrossed in concurrence.

On motion by Mr. Ames of Washington, it was

Ordered that House Document No. 123, Resolve in favor of Penobscot tribe of Indians, now in the hands of the committee on engrossed bills, be recalled so that an error may be corrected.

The PRESIDENT: The Chair will state for the information of the Senators that the House cannot receive the Senate in joint convention prior to the hour set forth in the order, 11 o'clock, therefore the Chair will declare a recess until three minutes of 11.

#### AFTER RECESS

The PRESIDENT: In compliance with the joint order the Senate will now adjourn to the hall of the House of Representatives.

Thereupon the Senate retired to the hall of the House.

(For proceedings in joint convention, see House report.)

#### IN THE SENATE

The Senate called to order by the President.

On motion by Mr. Babb of Cumberland,

Adjourned.